

73. A remote control adapted for use with a media player using a menu system, the remote control comprising:

a bi-directional communication system;

a processor connected to the communication system; and

programming operable with the processor and the bi-directional communication system

for receiving data from the player used to define navigation commands transmittable to the player for controlling navigation within the menu system and for storing a sequence of the navigation commands for subsequent transmission to the player.

74. The remote control of claim 73, wherein the programming is adapted to process preprogrammed sequences of data transmitted by the player.

75. The remote control of claim 73, wherein the programming is adapted to define a plurality of keys based upon the data received from the player.

REMARKS

In the application claims 49-75 remain pending. Claims 1-48 have been canceled. Claims 49-75 have been added by amendment and find their support in the specification and claims as originally filed. No new matter has been added. None of the pending claims presently stand allowed. The reconsideration of the rejection of the claims is respectfully requested.

In the Office Action, claims 1-42 were rejected as being obvious over Croy (US 6,040,829) in view of Nakamura (US 6,064,796). Claims 43-48 were rejected as being anticipated by Croy. As these rejections may be applied to the claims as added, it is respectfully

submitted that the disclosure of Croy, considered alone or in combination with Nakamura, fails to disclose, teach, or suggest the invention that is recited in the claims now at issue.

Accordingly, the rejections in view of Croy must be removed.

In particular, it is submitted that Croy fails to disclose, teach, or suggest at least the claimed navigation keys that are activatable to transmit command codes for commanding a consumer electronic device to navigate a menu of a digital media playable on the consumer electronic device; storing a sequence of activations of the navigation keys; and allowing the sequence to be executed to transmit command codes for commanding the consumer electronic device to navigate the menu of the digital media. Rather, Croy discloses a personal navigator wherein keys are used to navigate a menu *that is displayed on the personal navigator itself*. While Croy discloses in Col. 18, ll. 34-46, that key activations may be monitored and stored to allow a user to navigate the locally displayed menu, Croy fails to disclose, teach, or suggest storing a sequence of key activations for the purpose of allowing command codes to be transmitted to a consumer electronic device to navigate a menu of a digital media playing on said consumer electronic device. For example, when the user presses "Recall" and "Music," command codes are not transmitted. Rather, pressing "Recall" and "Music" causes a recalled list of marked programs to be displayed. (See Col. 19, ll. 11-26). Croy also fails to disclose, teach or suggest those claim elements that are set forth in the various dependent claims. Accordingly, since the disclosure of Croy fails to anticipate or render obvious the invention set forth in the claims at issue, the rejections must be withdrawn.

CONCLUSION

The subject application is considered to be in condition for allowance. Such action on the part of the Examiner is respectfully requested. If, however, the Examiner feels that a telephone

conference would expedite the allowance of the subject application, the Examiner is requested to contact the attorney undersigned.

While it is not believed that any fees are due, the Commissioner is authorized to charge any fee deficiencies to deposit account number 011,156.

Respectfully submitted,

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Certificate of Mailing: I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, DC 20231 on this 16th day of September, 2002.

By: 

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